IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4212 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of No. 1 : NO

JJJJ

ORAL JUDGEMENT

Heard the learned advocates for the parties. In this petition, rule was issued by this court on 9.5.2000 and it was made returnable on 10.7.2000 and ad interim relief in terms of para 5(b) has been granted by this court on that day. The main grievance of the petitioner is that the respondent no.2 was appointed on probation on temporary basis on 13.8.1993 and on 6.5.1998, respondent no.2 filed application no. 69 of 1998 before the tribunal and, thereafter,on 19.1.2000, notice of termination has been issued. On 28.1.2000, respondent no.2 filed application no. 8 of 2000 before the tribunal. Against the said application, the petitioner has filed reply on 4.2.2000 and respondent no.4 has also filed reply on 28th February, 2000. On 9.3.2000, arguments on behalf of the petitioner were heard and on 29.3.2000, arguments on behalf of respondent NO.2 were heard and the matter was thereafter kept for orders but orders have not been passed.

I have heard the learned advocates for the parties. As per my opinion, this petition can be disposed of by directing the tribunal namely Gujarat Affiliated Colleges Servicves Tribunal to decide and dispose of the application no. 8 of 2000 within two months in accordance with law.

Accordingly, considering the facts and circumstances of the case, it is directed to the respondent no.1 tribunal to decide and dispose of the application no.8 of 2000 finally which has been filed by the respondent no.2 by passing appropriate orders in accordance with law within two months from the date of receipt of certified copy of this order. With these observations and directions, this petition is disposed of. Rule is discharged. There shall be no order as to costs. Ad interim relief granted earlier shall be continued till the application is decided by the Tribunal.

24.11.2000. (H.K. Rathod,J.)

Vyas